

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,958,527  
APPLICATION NO.: 08/477,711  
ISSUE DATE : June 7, 2011  
INVENTOR(S) : John C. Harvey et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At Column 287, line 17, insert --at-- after "signals"

MAILING ADDRESS OF SENDER (Please do not use customer number below):

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Letters Patent of:  
John C. Harvey *et al.*

Patent No.: 7,958,527

Issued: June 7, 2011

For: SIGNAL PROCESSING APPARATUS AND  
METHODS

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Commissioner for Patents  
Office of Patent Publication  
Attention: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.323**

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted typographical errors that should be corrected.

At Column 287, line 17, insert --at-- after “signals” such that the line reads “said second signals at at least one of a video display device and”

Claim 12 was originally claim 18. The claims were last amended via Examiner’s Amendment included in the Notice of Allowance issued August 23, 2010. Prior to the Examiner’s Amendment, Applicants had filed a Proposed Draft Amendment on July 27, 2010. The language introduced via the Proposed Amendment was arrived at during a series of interviews with the Examiner. A copy of the Notice of Allowance is attached as Exhibit A and a copy of the Proposed Amendment is submitted as Exhibit B.

The issued claims contain a typographical error made by the Office in the course of issuing the patent, after the Notice of Allowance was issued. The following describes the typographical error.

Claim 12, originally claim 18 was amended in the Proposed Amendment. The Proposed Amendment did not amend where the delivery of the data occurred, “at at least one of a video display device and an audio speaker.” However, when the claim was issued, the Office deleted the repeated “at”. The “at” was intentionally repeated, and the claim should instead read: “at at least one of a video display device and an audio speaker.”

Accordingly, Patentee believes that the aforementioned errors were caused by the Office, and that no fee is due for the Certificate of Correction. However, if any additional fees are due, the Director is hereby authorized to charge such fees to our Deposit Account No. 50-4494.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: May 14, 2012

Respectfully submitted,

By /Thomas J. Scott, Jr./  
Thomas J. Scott, Jr.

Registration No.: 27,836  
GOODWIN PROCTER LLP  
901 New York Avenue, NW  
Washington, DC 20001  
(202) 346-4000  
Attorney for Patentee

## **EXHIBIT A**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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NOTICE OF ALLOWANCE AND FEE(S) DUE

70813 7590 08/23/2010

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

EXAMINER

PARK, CHAN S

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 08/23/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/477,711	06/07/1995	JOHN C. HARVEY	5634.312	6338
TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS				

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	11/23/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

**HOW TO REPLY TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

70813 7590 08/23/2010

GOODWIN PROCTER LLP  
901 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20001

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/477,711	06/07/1995	JOHN C. HARVEY	5634.312	6338
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TITLE OF INVENTION: SIGNAL PROCESSING APPARATUS AND METHODS

APPL.N. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	11/23/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
PARK, CHAN S	2625	725-038000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list  
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.  
 1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE \_\_\_\_\_ (B) RESIDENCE: (CITY and STATE OR COUNTRY) \_\_\_\_\_

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

## 4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

## 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/477,711	06/07/1995	JOHN C. HARVEY	5634.312	6338
70813	7590	08/23/2010	EXAMINER	
GOODWIN PROCTER LLP 901 NEW YORK AVENUE, N.W. WASHINGTON, DC 20001			PARK, CHAN S	
			ART UNIT	PAPER NUMBER
			2625	
DATE MAILED: 08/23/2010				

## Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b) (application filed prior to June 8, 1995)

This patent application was filed prior to June 8, 1995, thus no Patent Term Extension or Adjustment applies.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.





<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	08/477,711	HARVEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	CHAN S. PARK	2625	

  

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/13/02.

2. ☒ The allowed claim(s) is/are 2, 3, 6, 7, 9-11, 13-24, 26-29 and 31. These claims will be renumbered as 1-24.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.  
     (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
         1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
     (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

  
  

**Attachment(s)**

1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date <u>20100720</u> . 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____.
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/CHAN S PARK/ Primary Examiner, Art Unit 2625	
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### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in an interview with Thomas J. Scott (Reg. No. 27,836) on July 20, 2010.

2. The application has been amended as follows:

2. (Currently amended) A method of controlling the transmission of ~~one of data and control~~ embedded signals by ~~one of a broadcast and a cablecast~~ transmitter station, said transmitter station comprising at least one signal generator for embedding ~~a unit of data~~ signals in an information ~~transmission~~ transmissions; at least one transmitter for transmitting one of a broadcast and a cablecast information transmission; and ~~at least one of a processor, a controller, and a computer~~ for at least one of controlling the communication of information to and the embedding of information at said at least one signal generator, said method comprising the steps of:

embedding, using said at least one signal generator, at least one of first data and a first control signal signals in said at least one of a broadcast and a cablecast information transmission including a video signal;

communicating said at least one of a broadcast and a cablecast information transmission to said at least one transmitter;

transmitting, from said at least one transmitter, said at least one of a broadcast and a cablecast information transmission to ~~a~~ at least one remote receiver station ~~in said one of a broadcast and a cablecast information transmission;~~

receiving an instruct-to-embed signal from at least one remote transmitter station;  
and

causing, using said processor, said at least one signal generator to cease embedding ~~said at least one of first data and a first control signal~~ signals in response to said instruct-to-embed signal;

causing, using said processor, said at least one signal generator to embed, in response to said instruct-to-embed signal, at least one of second data and a second control signal signals in ~~said an incomplete~~ information transmission transmitted in said one of a broadcast and cablecast information transmission, said second signals for processing at said at least one remote receiver station to control output of information that completes said incomplete information transmission at said at least one remote receiver station; and

continuing to transmit said at least one of a broadcast and a cablecast information transmission to said at least one remote receiver station.

3. (Currently amended) A method of controlling the transmission of ~~one of data and control~~ signals by one of a remote ~~broadcast and a remote cablecast~~ transmitter station, ~~said one of a remote broadcast and a remote cablecast~~ transmitter station comprising at least one receiver for receiving one of a broadcast and a cablecast information transmission including a video signal from an origination transmitter station;

at least one signal generator for embedding data signals in said one of a broadcast and a cablecast information transmission; at least one transmitter for transmitting said one of a broadcast and a cablecast information transmission; and ~~at least one of a processor, a controller, and a computer~~ for controlling ~~at least one of 1) the communication of said one of a broadcast and a cablecast information transmission to and 2) the embedding of~~ information at said signal generator, comprising the steps of:

(1) ~~receiving said one of a broadcast and a cablecast~~ generating an incomplete information transmission at said origination transmitter station;

(2) generating an instruct-to-embed signal effective to cause said ~~one of a broadcast and a cablecast~~ processor at said transmitter station to cease embedding ~~at least one of first data and a first control signal~~ signals in said one of a broadcast and a cablecast information transmission, and embed ~~at least one of second data and a second control signal~~ signals in said incomplete information transmission for transmission in said broadcast or cablecast information transmission, said second signals for processing at at least one remote receiver station to control output of information that completes said incomplete information transmission; and

(3) transmitting said ~~one of a broadcast and a cablecast~~ incomplete information transmission and said instruct-to-embed signal from said origination transmitter station to said remote transmitter station.

6. (Currently Amended) The method of claim 2, wherein said ~~at least one of first data and a first control signal is~~ signals are generated at said ~~remote~~ transmitter station.

7. (Currently Amended) The method of claim 2, wherein said step of causing at least one said signal generator to embed ~~at least one of said second data and a second control signal~~ signals in said incomplete information transmission further comprises one of increasing and decreasing the size of ~~the~~ a portion of said incomplete information transmission in which said ~~at least one of second data and a second control signal is~~ signals are embedded.

8. (Cancelled)

9. (Currently Amended) The method of claim 2, wherein said ~~at least one of first data and a first control signal operates~~ signals operate at said at least one remote receiver station to generate a series of complete video images for said incomplete information transmission by processing said first ~~control signal~~ signals.

10. (Currently Amended) The method of claim 2, wherein a synchronizing instruction synchronizes processing of code by a plurality of processors at said at least one remote receiver station, said method further comprising the step of transmitting at least one of said synchronizing instruction and said code.

11. (Currently Amended) The method of claim 2, further comprising the step of transmitting at least one of a program instruction set and a combining synch command in ~~at least one of said first control signal and said second control signal~~ signals.

12. (Cancelled)

13. (Currently Amended) The method of claim 2, further comprising the step of transmitting at least one of a data module and a meter-monitor segment in at least one of said first ~~data~~ signals and said second ~~data~~ signals.

14. (Currently Amended) The method of claim 2, wherein said at least one of a broadcast and cablecast information transmission includes a television programming transmission, said method further comprising the steps of:

receiving said television programming transmission from said at least one remote transmitter station; and communicating said television programming transmission to at least one said signal generator.

15. (Previously Presented) The method of claim 14, further comprising the step of detecting said instruct-to-embed signal in said television programming transmission.

16. (Previously Presented) The method of claim 14, further comprising the step of storing said television programming transmission for a period of time before communicating said television programming transmission to said signal generator.

17. (Currently Amended) The method of claim 2, wherein ~~at least one of said first data and said second data~~ signals serve as basis, at said at least one remote receiver station, for completing of at least one of video programming and audio programming.

18. (Currently Amended) The method of claim 17, further comprising the step of including in ~~at least one of said first control signal and said second control signal~~ signals

at least one processor instruction which operates to deliver at least some ~~of said at least one of said first data and~~ included in said second ~~data~~ signals at at least one of a video display device and an audio speaker.

19. (Currently Amended) The method of claim 17, wherein ~~said at least one of said first data and~~ said second ~~data is~~ signals are transmitted in a code portion of said one of a broadcast and a cablecast information transmission, said method further comprising the step of transmitting only some of said at least one of video programming and audio programming in said incomplete information transmission and transmitted in a different portion of said one of a broadcast and a cablecast information transmission than said code portion, said only some of said at least one of video programming and audio programming to be completed at said at least one remote receiver station.

20. (Currently Amended) The method of claim 2, wherein said remote receiver station assembles information received in said one of a broadcast and a cablecast information transmission, said method further comprising the step of including higher language code in at least one of said first ~~data, said second data, said first control signal,~~ signals and said second ~~control signal~~ signals.

21. (Previously presented) The method of claim 20, further comprising the step of transmitting assembly language code.

22. (Currently Amended) The method of claim 2, wherein at least one of (1) said step of embedding said ~~at least one of first data and a first control signal~~ signals and (2) said step of causing said at least one signal generator to embed said ~~at least one of~~



~~second data and a second control signal~~ signals is performed in accordance with a schedule, said method further comprising the step of storing said schedule.

23. (Currently amended) The method of claim 22, further comprising the steps of:  
receiving said schedule from said at least one remote transmitter station; and  
communicating said schedule to said ~~at least one of a processor, a controller,~~  
~~and a computer.~~

24. (Currently Amended) The method of claim 3, wherein ~~said step of causing~~  
~~said one of a broadcast and a cablecast transmitter station to embed at least one of~~  
~~embedding said~~ second data and a second control signal in said incomplete information  
transmission further comprises one of increasing and decreasing the size of ~~the a~~  
portion of said one of a broadcast and a cablecast information transmission in which  
said ~~at least one of second data and a second control signal is~~ signals are embedded.

25. (Cancelled)

26. (Currently Amended) The method of claim 3, wherein said ~~at least one of first~~  
~~data and a first control signal operates~~ signals operate at a said at least one remote  
receiver station to generate a series of complete video images for said one of a  
broadcast and a cablecast information transmission by processing ~~said first a~~ control  
signal in said first signals.

27. (Currently Amended) The method of claim 3, wherein said one of a broadcast and a cablecast information transmission includes a television programming transmission, said method further comprising the steps of:

~~receiving~~ generating said television programming transmission at said origination transmitter station; and

transmitting said television programming transmission to said ~~one of a remote broadcast and a remote cablecast~~ transmitter station.

28. (Previously presented) The method of claim 27, further comprising the step of embedding said instruct-to-embed signal in said television programming transmission.

29. (Currently amended) The method of claim 27, wherein said ~~one of a remote broadcast and a remote cablecast~~ transmitter station stores said television programming transmission for a period of time before transmitting said one of a broadcast and a cablecast transmission, said method further comprising the step of transmitting an instruction which is effective at said ~~one of a remote broadcast and a remote cablecast~~ transmitter station to store said television programming transmission.

30. (Cancelled)

31. (Previously presented) The method of claim 3, further comprising the step of embedding said instruct-to-embed signal in said broadcast or cablecast information transmission.

32 - 39. (Cancelled)

## **ALLOWANCE**

### ***Allowable Subject Matter***

3. **Claims 2, 3, 6, 7, 9-11, 13-24, 26-29 and 31** are allowed. These claims will be renumbered as 1-24.

4. The following is an examiner's statement of reasons for allowance:

The prior art of record do not teach or suggest the claimed limitation of the embedding, in response to said instruct-to embed signal, second signals in an incomplete information transmission transmitted in said one of a broadcast and cablecast information transmission, said second signals for processing at said at least one remote receiver station to control output of information that completes said incomplete information transmission at said at least one remote receiver station.

The features identified, in combination with other claim limitations, are neither suggested nor discussed by the prior art of record.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Remarks***

6. A double patenting administrative requirement is not being required by the examiner in the instant application since the examiner has independently conducted a double patenting analysis of the claims in the instant application.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571)272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHAN S PARK/  
Primary Examiner, Art Unit 2625

July 23, 2010

## **EXHIBIT B**

**Park, Chan**

---

**From:** Benson, Carl [CBenson@goodwinprocter.com]  
**Sent:** Tuesday, July 20, 2010 3:20 PM  
**To:** Park, Chan  
**Cc:** Scott Jr, Thomas J  
**Subject:** RE: Application Serial No. 08/477,711  
**Attachments:** EMBD\_ June 2010 Proposed Amendment.RTF  
Examiner Park,

Attached is a revised proposed amendment to the claims of Applications Serial No. 08/477,711. The proposed amendment incorporates the changes you suggested below. The applicants agree that upon entry of the proposed claims by Examiner's amendment that the application will be in condition for allowance. Thank you for your review and suggestions regarding this application. Please let us know if you require anything further.

As set forth in MPEP 502.03, we recognize that Internet communications are not secure. According, applicants hereby authorize the USPTO to communicate with us concerning any subject matter of this application by electronic mail. We understand that a copy of these communications will be made of record in the application file.

---

**Carl L. Benson**  
**GOODWIN | PROCTER LLP**  
901 New York Avenue, N.W.  
Washington, D.C. 20001  
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F: 202.346.4444  
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---

**From:** Park, Chan [mailto:Chan.Park@USPTO.GOV]  
**Sent:** Tuesday, July 13, 2010 10:20 AM  
**To:** Benson, Carl  
**Cc:** Scott Jr, Thomas J  
**Subject:** RE: Application Serial No. 08/477,711

Mr. Benson,

Please make following amendment to claims 2 and 7.

Claim 2

communicating said at least one of a broadcast and a cablecast information transmission to said at least one transmitter;

transmitting, from said at least one transmitter, said at least one of a broadcast and a cablecast information transmission to a ~~said~~ at least one remote receiver station ~~in said one of a broadcast and a cablecast information transmission;~~

Claim 7

7/23/2010

7. (Currently Amended) The method of claim 2, wherein said step of causing at least one said signal generator to embed ~~at least one of said second data and a second control signal~~ signals in said incomplete information transmission further comprises one of increasing and decreasing the size of ~~the a~~ portion of said incomplete information transmission in which said ~~at least one of second data and a second control signal is~~ signals are embedded.

Upon the correction, the application will be in condition for allowance.  
Thank you.

Regards,

*Chan J. Park*  
Primary Patent Examiner  
US Patent Trademark Office  
(571)272-7409

---

**From:** Benson, Carl [mailto:CBenson@goodwinprocter.com]  
**Sent:** Friday, June 04, 2010 5:27 PM  
**To:** Park, Chan  
**Cc:** Scott Jr, Thomas J  
**Subject:** Application Serial No. 08/477,711

Examiner Park,

Attached is a proposed draft amendment to the claims of Application Serial No. 08/477,711. The amendment provides further details regarding the operation of the transmitted embedded signals and is intended to be applied to a system transmitting video programming. We have reviewed the Cox references and do not find the second embedded signals as set forth in the amended claims. Please let us have any comments or questions that you may have regarding these amended claims.

As set forth in MPEP 502.03, we recognize that Internet communications are not secure. Accordingly, applicants hereby authorize the USPTO to communicate with us concerning any subject matter of this application by electronic mail. We understand that a copy of these communications will be made of record in the application file.

<<EMBD\_ June 2010 Proposed Amendment.RTF>>

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7/23/2010

\*\*\*\*\*

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\*\*\*\*\*



## DRAFT PROPOSED AMENDMENT

2. (Currently amended) A method of controlling the transmission of ~~one of data and control~~ embedded signals by ~~one of a broadcast and a cablecast~~ transmitter station, said transmitter station comprising at least one signal generator for embedding ~~a unit of data~~ signals in an information ~~transmission~~ transmissions; at least one transmitter for transmitting one of a broadcast and a cablecast information transmission; and ~~at least one of a processor, a controller, and a computer~~ for ~~at least one of controlling the communication of information to and the embedding of information at~~ said ~~at least one~~ signal generator, said method comprising the steps of:

embedding, using said at least one signal generator, at least one of first data and a first control signal signals in said at least one of a broadcast and a cablecast information transmission including a video signal;

communicating said at least one of a broadcast and a cablecast information transmission to said at least one transmitter;

transmitting, from said at least one transmitter, said at least one of a broadcast and a cablecast information transmission to a at least one remote receiver station in said one of a broadcast and a cablecast information transmission;

receiving an instruct-to-embed signal from at least one remote transmitter station; and

causing, using said processor, said at least one signal generator to cease embedding said at least one of first data and a first control signal signals in response to said instruct-to-embed signal;

causing, using said processor, said at least one signal generator to embed, in response to said instruct-to-embed signal, at least one of second data and a second control signal signals in said an incomplete information transmission transmitted in said one of a broadcast and cablecast information transmission, said second signals for processing at said at least one remote receiver station to control output of information that completes said incomplete information transmission at said at least one remote receiver station; and

continuing to transmit said at least one of a broadcast and a cablecast information transmission to said at least one remote receiver station.

3. (Currently amended) A method of controlling the transmission of ~~one of data and control~~ signals by one of a remote ~~broadcast and a remote cablecast~~ transmitter station, said ~~one of a remote broadcast and a remote cablecast~~ transmitter station comprising at least one receiver for receiving one of a broadcast and a cablecast information transmission including a video signal from an origination transmitter station; at least one signal generator for embedding data signals in said one of a broadcast and a cablecast information transmission; at least one transmitter for transmitting said one of a broadcast and a cablecast information transmission; and ~~at least one of a processor, a controller, and a computer~~ for controlling ~~at least one of 1) the communication of said one of a broadcast and a cablecast information transmission to and 2) the embedding of information at~~ said signal generator, comprising the steps of:

(1) receiving said one of a broadcast and a cablecast generating an incomplete information transmission at said origination transmitter station;

(2) generating an instruct-to-embed signal effective to cause said one of a broadcast and a cablecast processor at said transmitter station to cease embedding at least one of first data and a first

~~control signal signals in said one of a broadcast and a cablecast information transmission, and embed at least one of second data and a second control signal signals in said incomplete information transmission for transmission in said broadcast or cablecast information transmission, said second signals for processing at at least one remote receiver station to control output of information that completes said incomplete information transmission; and~~

(3) transmitting said ~~one of a broadcast and a cablecast incomplete~~ information transmission and said instruct-to-embed signal from said origination transmitter station to said remote transmitter station.

4 - 5. (Cancelled)

6. (Currently Amended) The method of claim 2, wherein said ~~at least one of first data and a first control signal is~~ signals are generated at said remote transmitter station.

7. (Currently Amended) The method of claim 2, wherein said step of causing at least one said signal generator to embed ~~at least one of said second data and a second control signal signals~~ in said incomplete information transmission further comprises one of increasing and decreasing the size of the a portion of said incomplete information transmission in which said ~~at least one of second data and a second control signal is~~ signals are embedded.

8. (Cancelled)

9. (Currently Amended) The method of claim 2, wherein said ~~at least one of first data and a first control signal operates~~ signals operate at said at least one remote receiver station to generate a series of complete video images for said incomplete information transmission by processing said first control signal signals.

10. (Currently Amended) The method of claim 2, wherein a synchronizing instruction synchronizes processing of code by a plurality of processors at said at least one remote receiver station, said method further comprising the step of transmitting at least one of said synchronizing instruction and said code.

11. (Currently Amended) The method of claim 2, further comprising the step of transmitting at least one of a program instruction set and a combining synch command in ~~at least one of said first control signal and said second control signal~~ signals.

12. (Cancelled)

13. (Currently Amended) The method of claim 2, further comprising the step of transmitting at least one of a data module and a meter-monitor segment in at least one of said first data signals and said second data signals.

14. (Currently Amended) The method of claim 2, wherein said at least one of a broadcast and cablecast information transmission includes a television programming transmission, said method further comprising the steps of:

receiving said television programming transmission from said at least one remote transmitter station; and communicating said television programming transmission to at least one said signal generator.

15. (Previously Presented) The method of claim 14, further comprising the step of detecting said instruct-to-embed signal in said television programming transmission.

16. (Previously Presented) The method of claim 14, further comprising the step of storing said television programming transmission for a period of time before communicating said television programming transmission to said signal generator.

17. (Currently Amended) The method of claim 2, wherein ~~at least one of said first data and said second data~~ signals serve as basis, at said at least one remote receiver station, for completing of at least one of video programming and audio programming.

18. (Currently Amended) The method of claim 17, further comprising the step of including in ~~at least one of said first control signal and said second control signal~~ signals at least one processor instruction which operates to deliver at least some of ~~said at least one of said first data and~~ included in said second ~~data~~ signals at at least one of a video display device and an audio speaker.

19. (Currently Amended) The method of claim 17, wherein ~~said at least one of said first data and said second data~~ is signals are transmitted in a code portion of said one of a broadcast and a cablecast information transmission, said method further comprising the step of transmitting only some of said at least one of video programming and audio programming in said incomplete information transmission and transmitted in a different portion of said one of a broadcast and a cablecast information transmission than said code portion, said only some of said at least one of video programming and audio programming to be completed at said at least one remote receiver station.

20. (Currently Amended) The method of claim 2, wherein said remote receiver station assembles information received in said one of a broadcast and a cablecast information transmission, said method further comprising the step of including higher language code in at least one of said first ~~data, said second data, said first control signal,~~ signals and said second ~~control signal~~ signals.

21. (Previously presented) The method of claim 20, further comprising the step of transmitting assembly language code.

22. (Currently Amended) The method of claim 2, wherein at least one of (1) said step of embedding said ~~at least one of first data and a first control signal~~ signals and (2) said step of causing said at least one signal generator to embed said ~~at least one of second data and a second control signal~~ signals is performed in accordance with a schedule, said method further comprising the step of storing said schedule.

23. (Currently amended) The method of claim 22, further comprising the steps of: receiving said schedule from said at least one remote transmitter station; and communicating said schedule to said ~~at least one of a processor, a controller, and a computer.~~

24. (Currently Amended) The method of claim 3, wherein ~~said step of causing said one of a broadcast and a cablecast transmitter station to embed at least one of~~ embedding said second data and a second control signal in said incomplete information transmission further comprises one of increasing and decreasing the size of ~~the a~~ portion of said one of a broadcast and a cablecast information transmission in which said ~~at least one of second data and a second control signal~~ signals are embedded.

25. (Cancelled)

26. (Currently Amended) The method of claim 3, wherein said ~~at least one of first data and a first control signal operates~~ signals operate at a said at least one remote receiver station to generate a series of complete video images for said one of a broadcast and a cablecast information transmission by processing said ~~first a control signal in said first signals~~.

27. (Currently Amended) The method of claim 3, wherein said one of a broadcast and a cablecast information transmission includes a television programming transmission, said method further comprising the steps of:

receiving generating said television programming transmission at said origination transmitter station; and

transmitting said television programming transmission to said ~~one of a remote broadcast and a remote cablecast~~ transmitter station.

28. (Previously presented) The method of claim 27, further comprising the step of embedding said instruct-to-embed signal in said television programming transmission.

29. (Currently amended) The method of claim 27, wherein said ~~one of a remote broadcast and a remote cablecast~~ transmitter station stores said television programming transmission for a period of time before transmitting said one of a broadcast and a cablecast transmission, said method further comprising the step of transmitting an instruction which is effective at said ~~one of a remote broadcast and a remote cablecast~~ transmitter station to store said television programming transmission.

30. (Cancelled)

31. (Previously presented) The method of claim 3, further comprising the step of embedding said instruct-to-embed signal in said broadcast or cablecast information transmission.

32 - 39. (Cancelled)